IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)
MONDAY, THE TWENTY EIGHTH DAY OF JUNE
TWO THOUSAND AND FOUR
PRESENT
THE HON'BLE MR JUSTICE N.V. RAMANA
WRIT PETITION NO : 10108 of 2004

Between:
VV Naik S/o Laxma Naik
R/o7-20/A, RB Type, North Lallaguda, Hyderabad

..... PETITIONER

AND

1 Senior Personnel Officer, Head Office, Personnel Branch,
South Central Railway, Secunderabad
2 Gnanashekar
C/0171/B3 Basant Lane, Rly. Colony, New Delhi
3 Ashok Kumar
R/o 171/B3 Basant Lane, Rly. Colony, New Delhi

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue Writ, direction or order more particularly in the nature of Writ of Mandamus declaring the action of 1st respondent in dissolving the adhoc zonal Executive Committee, South Zone by order dated 16-6-2004 in proceedings No. P (RES) 171/SCST Rly. Emp. Assn/Vol.VIII at the behest of respondents 2 & 3 being illegal, arbitrary and violative of principles of natural justice,

For the Petitioner: MR.VIJAY ASHRIT, Advocate

For the Respondent No.1: Mr R.S.Murthy, SC for Railways

For the Respondents 2 and 3 -

The Court at the admission stage Made the Following:

Order:

The petitioner who claims to have been elected as President of the Central Executive Committee of the All India SC & ST Railway Employees Association (AISCTRE) has filed this writ petition assailing the proceedings dated 16-6-2004, issued by respondent No.1-Senior Personnel Officer, South Central Railway, Secunderabad, dissolving the *ad hoc* Zonal Executive Committee of AISCTRE Association.

The only grievance of the petitioner is that AISCTRE Association had made a representation to the General Manager, South Central Railway, Secunderabad, informing that the Association in its meeting held on 12-6-2004 had unanimously passed a resolution that as the tenure of the Association is going to expire on 29-7-2004, and requested him they be allowed to function till the election to the Association at the zonal level in Secunderabad are held, and that he should not act on the representation 9-6-2004 made by GS/President/CEC, the tenure of the Association is going to expire on 29-7-2004, and that while so, respondent No.1-Senior Personnel Officer, without reference to their representation and without considering the same, has passed the impugned order, dissolving the AISCTRE, which is illegal and arbitrary.

Heard the learned counsel for the petitioner and the learned Standing Counsel for respondent No.1-South Central Railway.

Having regard to the facts and circumstances of the case, I deem it appropriate to dispose of the writ petition with the following directions:

The petitioner is directed to put forth his grievance by way of a representation once again before the General Manager, South Central Railway, Secunderabad, and if any such representation is made, the General Manager, South Central Railway, Secunderabad, though not a party-respondent to this writ petition, shall having regard to the resolution passed by AISCTRE Association in their meeting held on 12-

6-2004, consider and pass appropriate orders thereon, expeditiously.

With the observations, as above, the writ petition is dismissed. No costs.

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To
1 Senior Personnel Officer, Head Office, Personnel Branch, South Central Railway, Secunderabad
2. 2 CD copies

KSR/KVRM

THE HON'BLE MR JUSTICE N.V. RAMANA

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DATED 28TH DAYOF JUNE, 2004